

House File 231 - Introduced

HOUSE FILE 231
BY COMMITTEE ON ECONOMIC
GROWTH

(SUCCESSOR TO HSB 40)

A BILL FOR

1 An Act relating to the powers and programs of the economic
2 development authority, including apprentice eligibility
3 under the apprenticeship training program, and including
4 effective date and applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 15.106A, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. The general assembly finds and declares
4 the following:

5 a. That through this section and section 15.106B, the
6 authority has been granted broad general powers and specific
7 program powers over all of the authority's statutory programs,
8 including but not limited to the programs created pursuant to
9 chapters 15, 15A, 15B, 15E, and 15J.

10 b. That the broad general powers and the specific program
11 powers described in paragraph "a" of this subsection and
12 subsection 1, paragraph "m", specifically include the power
13 to interpret any rules adopted by the authority for the
14 administration of the programs referenced in paragraph "a".

15 Sec. 2. Section 15B.2, subsection 1, Code 2017, is amended
16 to read as follows:

17 1. "Apprentice" means a person who is at least sixteen
18 years of age, except where a higher minimum age is required
19 by law, who is employed in an apprenticeable occupation, who
20 is a resident of the state of Iowa, and is registered in
21 Iowa with the United States department of labor, office of
22 apprenticeship.

23 Sec. 3. LEGISLATIVE FINDINGS AND PURPOSE.

24 1. The general assembly finds and declares the following:

25 a. That the state of Iowa faces a critical shortage of
26 skilled workers.

27 b. That the apprenticeship training program established
28 in chapter 15B is intended to improve the skills of Iowa's
29 workforce and increase the amount of available Iowa workers for
30 certain in-demand occupations.

31 c. That the amount of financial assistance available under
32 the program should be calculated solely based on the number of
33 apprentices who are Iowa residents because Iowa residency is an
34 efficient method of defining the Iowa workforce.

35 d. That calculating financial assistance under the program

1 solely based on Iowa residency in order to improve Iowa's
2 workforce is a legitimate governmental purpose.

3 e. That the financial assistance available under the
4 program is intended to be a statutory benefit and that the
5 statute is not intended to bind the state either by creating a
6 contractual right or a vested right.

7 2. The general assembly further declares that the purposes
8 of this Act are to clarify the legislative intent in enacting
9 chapters 15 and 15B and to cure any unforeseen defect or
10 ambiguity in the administration of the authority's programs.

11 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
12 immediate importance, takes effect upon enactment.

13 Sec. 5. RETROACTIVE APPLICABILITY.

14 1. The section of this Act amending section 15.106A applies
15 retroactively to July 1, 2011.

16 2. The section of this Act amending section 15B.2 applies
17 retroactively to July 1, 2015.

18 3. The section of this Act relating to legislative findings
19 and purpose applies retroactively to July 1, 2015.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the powers and programs of the economic
24 development authority, including apprentice eligibility for
25 purposes of calculating financial assistance awards under the
26 apprenticeship training program.

27 The bill provides a finding of the general assembly that the
28 economic development authority has been granted broad general
29 powers and specific program powers over all of the authority's
30 statutory programs, including but not limited to the programs
31 created pursuant to Code chapters 15, 15A, 15B, 15E, and
32 15J. Under the bill, the general assembly also declares that
33 the broad general powers and the specific program powers
34 specifically include the power to interpret any rules adopted
35 by the authority for the administration of authority programs.

1 Relating to the apprenticeship training program, the bill
2 requires that a person be an Iowa resident to qualify as an
3 apprentice under the program for purposes of calculating
4 financial assistance awards under the program.

5 The bill takes effect upon enactment. Under the bill,
6 codified provisions related to legislative findings and
7 declarations of purpose are retroactive to July 1, 2011, and
8 session law provisions related to legislative findings and
9 purpose apply retroactively to July 1, 2015.